IN THE HIGH COURT OF UTTARAKHAND AT NAINITAL

Writ Petition No. 871 (SS) of 2007

Smt. Manjulata Arya,
W /o late H.S. Arya,
Presently posted as
Assistant Teacher,
Government Girls Higher Secondary School,
Haripur Kalsi,
Dehradun. **.....Petitioner.**

Versus

1. State of Uttarakhand through Director, Vidyalayi Shiksha, Uttarakhand, Mayur Vihar, Dehradun.

2. Additional Director of Education, (Madhyamik) Garhwal Mandal, Pauri Garhwal.

3. District Education Officer, Dehradun.

4. Principal, Government Girls Higher Secondary School, Haripur Kalsi, District – Dehradun.

……Respondents

Hon'ble M.M. Ghildiyal, J

Heard Sri Vinod Nautiyal, learned counsel for the petitioner and Sri N. P. Shah, learned Standing Counsel for State of Uttarakhand on behalf of respondents.

By means of this writ petition, the petitioner, who is working as Assistant Teacher, has challenged transfer order dated 07.06.2007 passed by Additional Director of Education, Garhwal Mandal, Pauri, by which petitioner has been transferred from Government Girls Higher Secondary School, Haripur, Kalsi, Dehradun to Government Girls Higher Secondary School, Dikholi, Uttarkashi on the ground of "inconsistent subject."

During the course of argument, learned counsel for the petitioner has confined his prayer that petitioner may be permitted to make representation before competent authority for redressal of her grievance and the competent authority may be directed to decide the same within a period prescribed by this court.

The prayer is innocuous. Accordingly, I direct the petitioner to make representation before competent authority within a period of ten days from today and the competent authority is directed to take decision on the representation of the petitioner, so made, within a period of one week from the date of production of certified copy of this order along with representation.

Till the representation is decided by competent authority or till 31st July 2007, whichever is earlier, the impugned order dated 07.06.2007 passed by Additional Director of Education, Garhwal Mandal, Pauri, so far as it relates to the petitioner, shall not be given effect to.

With this direction, the writ petition as well as stay application stands disposed of. No order as to costs.

(M.M. Ghildiyal, J)

July 12, 2007
SKS